

**(1) Fourteenth and Final Account and Report of Conservator; (2) Petition for Fees, for Termination of Conservatorship Distribution of Assets of Estate and (3) Discharge of Conservator (Prob. C. 1860 & 2620)**

<b>DOD: 11-10-10</b>		<b>CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 111711, 020212, 040512, 051712, 062812, 080212, 100412, 110112, 112912, 011013</b>		<b>Account period: 3-1-09 through 11-10-10</b> Accounting: \$34,377.72 Beginning POH: \$14,465.02 Ending POH: \$16,100.50	<b>Minute Order 1-10-13:</b> No appearances. The Court notes for the minute order that there have been numerous continuances and it believes proper notice has given to Bruce Beland. The Court removes the California Department of Developmental Services as the Petitioner and appoints the Public Guardian. Continued to 3/7/13
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
✓	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>	X	
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<b>Account period: 11-11-10 through 6-30-11</b> Accounting: \$18,405.01 Beginning POH: \$16,100.50 Ending POH: \$12,537.04	<b>Minute Order 1-10-13 (OSC):</b> No appearances. The Court notes for the minute order that there have been numerous continuances and it believes proper notice has been given to Bruce Beland. As to Bruce Beland, the Court imposes sanctions in the amount of \$400.00 for failure to appear. Sanctions to be paid forthwith. The Court directs that the State Bar be notified.
		(POH consists of cash in the amount of \$554.93 plus an undivided 1/3 interest of a 3/4 interest in real property, a stove, and an air conditioner)	<b>Order After Noticed Hearing Re Sanctions Pursuant to CCP 177.5 was filed 1-25-13;</b> Clerk's Certificate of mailing reflects mailing to Attorney Bruce Beland.
		Conservator: \$125.00  Attorney: \$40.00	<b>As of 3-1-13, the following issues remain:</b> See Page 2
		Petitioner states there is a Medi-Cal claim in the amount of \$108,627.87 and requests that the court authorize payment of the remaining balance of the conservatorship estate on this claim.	
		<b>Petitioner prays for an Order:</b> 1. Approving, allowing and settling the final account; 2. Terminating the proceedings herein; 3. Authorizing payment of the conservator's and attorney's fees; 4. Authorizing payment of the remaining balance to the Dept. of Health Services as payment in full on the Medi-Cal claim; 5. Authorizing transfer of the house, stove and air conditioner to the Conservatee's sister; and 6. Discharge of Conservator.	<b>Reviewed by:</b> skc <b>Reviewed on:</b> 3-1-13 <b>Updates:</b> <b>Recommendation:</b> <b>File 1A - Tortorella</b>

**NEEDS/PROBLEMS/COMMENTS:**

**The following issues were noted regarding this petition:**

- 1. Probate Code §§ 2631 and 13100 allow liquidation and distribution of personal property only in the manner requested. Real property, including undivided interests, is subject to Probate Code §13151, which requires the mandatory judicial council Petition to Determine Succession to Real Property Form DE-310, inventory and appraisal as of the date of death, and noticed hearing.**
- 2. Petitioner also requests to distribute this asset when there is a Medi-Cal lien on the estate. Need authority.**
- 3. The proposed order does not correspond to the prayer. Need clarification.**
- 4. The proposed order does not comply with Local Rule 7.6.1.A. Monetary distributions must be stated in dollars. Need clarification as to the amount to be distributed on the Medi-Cal claim. (Examiner calculates \$389.93. Need verification.)**
- 5. Petitioner originally stated that the Conservatorship Estate owned an “UNDIVIDED 1/3<sup>RD</sup> INTEREST OF 3/4<sup>TH</sup> INTEREST IN REAL PROPERTY.” However, Petitioner now states the interest is a “1/2 (ONE-HALF)” interest.**

DOD: 11-10-10		<b>CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES,</b> Conservator, is Petitioner.  Petitioner states the Conservatee's only known surviving relative is his sister, Cina Rand, who resides in Clovis, CA. The conservatorship estate herein includes a one-half interest in real property in Fresno. The remaining one-half interest in the real property is held by this conservatee's brother, Dominic Tortella, DOD 11-6-09.  Petitioner states that pursuant to Probate Code §§ 2590 and 2591, the Court may authorize a Conservator to sell or dispose of real property with or without confirmation.  Pursuant to Probate Code §2591(c)(1), the Conservator hereby requests authority to transfer the Conservatee's interest in the real property to Ms. Rand, the Conservatee's only known surviving relative.  Petitioner prays that this Court authorize the Director of the Dept. of Developmental Services of the State of California to exercise its authority under Probate Code §2591 to transfer the Conservatee's interest in the real property and to issue such other relief as appropriate.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Minute Order 1-10-13: No appearances. The Court notes for the minute order that there have been numerous continuances and it believes proper notice has given to Bruce Beland. The Court removes the California Department of Developmental Services as the Petitioner and appoints the Public Guardian. Continued to 3/7/13.</u>  <u>The following issues were noted regarding this petition:</u>  See page 2.	
Cont. from 110112, 112912, 011013				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice	<b>Memorandum of Points and Authorities</b> cites Probate Code §§ 2590 and 2591. Petitioner states that the Court may authorize the transfer of the real property, as the property is not the Conservatee's (or his brother's) residence, as they are both deceased. Petitioner states Cina Rand is the only known surviving relative of the Conservatee and the Conservator has no lien or other interest in the property. Further administration of the conservatorship estate will only use up conservatorship assets and will not serve any purpose for which the conservatorship was created. It appears to be prudent and in the best interest of all parties that the Court exercise its authority under this section to transfer the real property to Ms. Rand.	<b>Reviewed by:</b> skc <b>Reviewed on:</b> 3-4-13 <b>Updates:</b> <b>Recommendation:</b> File 1B - Tortorella	

Page 2

The following issues were noted regarding this petition:

1. Authority does not appear to be proper.

Probate Code §2591(c)(1) allows a conservator the power "to sell at public or private sale" real property without Court confirmation of sale.

Probate Code §2590(a) states the Court may make an order granting this power if it is to the "advantage, benefit, and best interest of the estate to do so."

Here, Petitioner is requesting to distribute real property from the conservatorship estate after the Conservatee's death without reference to the Medi-Cal lien on the conservatorship estate in the amount of \$108,627.87 that was noted by Petitioner in the 14<sup>th</sup> Account filed 10-13-11 (Page 1A).

Examiner notes that DHS was served with a copy of this Petition and the P&A by mail on 10-16-12; however, the Court may require clarification as to authority to distribute real property from a conservatorship estate, with reference to the lien, or further time for response or agreement by DHS.

As previously stated, a Petition to Determine Succession is an appropriate method to distribute property. Examiner notes that this is a summary proceeding that requires the heir to petition.

2. The Conservatorship Estate owned an "UNDIVIDED 1/3RD INTEREST OF 3/4TH INTEREST IN REAL PROPERTY" (See Schedule G – POH at end of account period). Petitioner now states the interest is a "1/2 (ONE-HALF)" interest, with the other half held by the brother (Pages 2A and 2B). Need clarification.

<b>DOD: 11-6-09</b>	<b>CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES,</b> Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Conf. from 110112, 112912, 011013</b>	<b>Account period: 3-1-09 through 11-6-09</b>  Accounting: \$23,821.68 Beginning POH: \$14,193.12 Ending POH: \$16,068.68	<u><b>As of 3-4-13, the following issues remain:</b></u>
<b>Aff.Sub.Wit.</b>	<b>Account period: 11-7-09 through 5-31-12</b>  Accounting: \$16,170.48 Beginning POH: \$16,068.68 Ending POH: \$11,235.03	<b>See Page 2</b>
<input checked="" type="checkbox"/> <b>Verified</b>	(POH consists of cash in the amount of \$235.03 plus an undivided 1/3 interest of a 3/4 interest in real property)	
<b>Inventory</b>	Conservator: \$50.00 outstanding, Balance waived	
<b>PTC</b>	Attorney: \$25.00 outstanding, Balance waived	
<b>Not.Cred.</b>	Court Investigation Fees (Superior Court): \$50.00, Balance waived.	
<b>Notice of Hrg</b>	Petitioner states there is a Medi-Cal claim in the amount of \$56,556.10 and requests that the court authorize payment of the remaining balance of the conservatorship estate on this claim.	
<b>Aff.Mail</b>	<b>Petitioner prays for an Order:</b>	
<b>Aff.Pub.</b>	7. Approving, allowing and settling the final account;	<b>Reviewed by: skc</b>
<b>Sp.Ntc.</b>	8. Terminating the proceedings herein;	<b>Reviewed on: 3-4-13</b>
<b>Pers.Serv.</b>	9. Waiving the conservator's and attorney's fees;	<b>Updates:</b>
<b>Conf. Screen</b>	10. Authorizing payment of \$50.00 to the herein Conservator of the estate for outstanding deferred fees as payment in full and waiving the remaining amount due;	<b>Recommendation:</b>
<b>Letters</b>	11. Authorizing payment of \$25.00 to the State Dept. of Developmental Services' Office of Legal Affairs for outstanding deferred fees as payment in full and waive remaining balance due;	<b>File 2A - Tortorella</b>
<b>Duties/Supp</b>	12. Authorizing payment of \$50.00 to Fresno Superior Court for outstanding deferred fees previously approved by the Court as payment in full and waive the remaining balance due;	
<b>Objections</b>	13. Authorizing payment of the remaining balance to the Dept. of Health Services as payment in full on the Medi-Cal claim;	
<b>Video Receipt</b>	14. Authorizing transfer of the house to the Conservatee's sister; and	
<b>CI Report</b>	15. Discharge of Conservator.	
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

**NEEDS/PROBLEMS/COMMENTS:****As of 3-4-13, the following issues remain:**

- 1. As stated previously in the prior Examiner Notes for the related matter, Probate Code §§ 2631 and 13100 allow liquidation and distribution of personal property only in the manner requested. Real property, including undivided interests, is subject to Probate Code §13151, which requires the mandatory judicial council Petition to Determine Succession to Real Property Form DE-310, inventory and appraisal as of the date of death, and noticed hearing.**
- 2. Petitioner also requests to distribute this asset when there is a Medi-Cal lien on the estate. Need authority.**
- 3. Need Notice of Hearing and proof of service at least 15 days prior to the hearing on Cina Rand (sister) and DHS. (*Proof of Service filed 10-17-12 relates to the Petition for Instructions at Page 2B only.*)**
- 4. Order does not match Petition. Petition states ending balance is \$11,235.03, of which \$235.03 is cash. Order states ending balance is \$16,100.50, of which \$443.12 is cash. Need clarification.**
- 5. Order does not comply with Local Rule 7.6.1.A. Monetary distributions must be stated in dollars. Need clarification as to the amount to be distributed on the Medi-Cal claim. Examiner is unable to calculate due to discrepancy noted in #4 above.**

<b>DOD: 11-6-09</b>		<b>CALIFORNIA DEPT. OF DEVELOPMENTAL SERVICES</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<p>Petitioner states the Conservatee's only known surviving relative is his sister, Cina Rand, who resides in Clovis, CA. The conservatorship estate herein includes a one-half interest in real property in Fresno. The remaining one-half interest in the real property is held by this conservatee's brother, Nicholas Tortella, DOD 11-10-10.</p>	<p><b><u>Minute Order 1-10-13:</u></b> No appearances. The Court notes for the minute order that there have been numerous continuances and it believes proper notice has given to Bruce Beland. The Court removes the California Department of Developmental Services as the Petitioner and appoints the Public Guardian. Continued to 3/7/13.</p>
<b>Cont. from 110112, 112912, 011013</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	<p>Petitioner states that pursuant to Probate Code §§ 2590 and 2591, the Court may authorize a Conservator to sell or dispose of real property with or without confirmation.</p>	<p><b><u>The following issues were noted regarding this petition:</u></b></p>
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>	<p>Pursuant to Probate Code §2591(c)(1), the Conservator hereby requests authority to transfer the Conservatee's interest in the real property to Ms. Rand, the Conservatee's only known surviving relative.</p>	<p>See page 2.</p>
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	<p>Petitioner prays that this Court authorize the Director of the Dept. of Developmental Services of the State of California to exercise its authority under Probate Code §2591 to transfer the Conservatee's interest in the real property and to issue such other relief as appropriate.</p>	<p><b>Reviewed by:</b> skc</p>
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>	<p><b>Memorandum of Points and Authorities</b> cites Probate Code §§ 2590 and 2591. Petitioner states that the Court may authorize the transfer of the real property, as the property is not the Conservatee's (or his brother's) residence, as they are both deceased.</p>	<p><b>Reviewed on:</b> 3-4-13</p>
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<p>Petitioner states Cina Rand is the only known surviving relative of the Conservatee and the Conservator has no lien or other interest in the property. Further administration of the conservatorship estate will only use up conservatorship assets and will not serve any purpose for which the conservatorship was created. It appears to be prudent and in the best interest of all parties that the Court exercise its authority under this section to transfer the real property to Ms. Rand.</p>	<p><b>Updates:</b></p>
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>	<p><b>Recommendation:</b></p>	<p><b>File 2B - Tortorella</b></p>
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

Page 2

## NEEDS/PROBLEMS/COMMENTS:

The following issues were noted regarding this petition:

3. Authority does not appear to be proper.

Probate Code §2591(c)(1) allows a conservator the power "to sell at public or private sale" real property without Court confirmation of sale.

Probate Code §2590(a) states the Court may make an order granting this power if it is to the "advantage, benefit, and best interest of the estate to do so."

Here, Petitioner is requesting to distribute real property from the conservatorship estate after the Conservatee's death without reference to the Medi-Cal lien on the conservatorship estate in the amount of \$108,627.87 that was noted by Petitioner in the 14<sup>th</sup> Account filed 10-13-11 (Page 1A).

Examiner notes that DHS was served with a copy of this Petition and the P&A by mail on 10-16-12; however, the Court may require clarification as to authority to distribute real property from a conservatorship estate, with reference to the lien, or further time for response or agreement by DHS.

As previously stated, a Petition to Determine Succession is an appropriate method to distribute property. Examiner notes that this is a summary proceeding that requires the heir to petition.

4. The Conservatorship Estate owned an "UNDIVIDED 1/3RD INTEREST OF 3/4TH INTEREST IN REAL PROPERTY" (See Schedule G – POH at end of account period). Petitioner now states the interest is a "1/2 (ONE-HALF)" interest, with the other half held by the brother (Pages 1A and 1B). Need clarification.



Atty Roberts, Gregory J., of Barrus &amp; Roberts (for Petitioner Margaret A. Ramirez)

**Petition for Probate of Will and for Letters of Administration With Will Annexed;  
Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 8/27/1979</b>		<b>MARGARET A. RAMIREZ</b> , (referred to in Will as Margarita Liscano), is Petitioner and requests appointment as Administrator with Will Annexed without bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petitioner states Decedent's Will waives bond, which is true as to the named Executor and alternate named Executor. Petitioner is not named in Decedent's Will, and Petitioner requests Full IAEA authority. <i>Declination to Act as Executor</i> signed by Mariano Ramirez, Jr., does not waive bond, and waivers of bond by estate beneficiaries have not been filed pursuant to Probate Code § 8481(a)(2). Court may require Petitioner to post bond of <b>\$13,000.00</b> pursuant to Probate Code §§ 8480 and 8482(a)(3).  2. <i>Petition</i> states at Item 3(f)(2)(c) that Petitioner is Decedent's sister, as does the <i>Declination to Act as Executor</i> signed by Mariano Ramirez, Jr. However, Item (8) of the <i>Petition</i> , as well as Decedent's Will, states the Petitioner is Decedent's daughter.  <b>Note:</b> If petition is granted, Court will set status hearings as follows: • <b>Friday April 12, 2013 at 9:00 a.m. in Dept. 303</b> for filing proof of bond, if <u>Court requires bond</u> ; and • <b>Friday May 9, 2014 at 9:00 a.m. in Dept. 303</b> for filing of first account and/or petition for final distribution. Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.W</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> <span style="float:right">W /</span>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Aff. Post</b>		
<input checked="" type="checkbox"/>	<b>Duties/S</b>		
<input type="checkbox"/>	<b>Objectn</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>	<b>Petitioner states:</b> • On 7/10/2007, <b>PETRA MEDINA</b> , daughter, was appointed Executor of Decedent's estate; Decedent's Will dated 1/20/1972 was admitted to Probate on 7/10/2007; • Petra Medina died on 10/13/2009, and the only alternate executors named in Decedent's Will are <b>TRINIDAD RAMIREZ</b> , son, who is deceased (DOD 6/26/2009), and <b>MARIANO RAMIREZ, JR.</b> , son, who has declined to act and nominated Petitioner as personal representative of the estate ( <i>Declination and Nomination attached</i> ); • The sole asset of the estate is real property with a date-of-death value that is small enough to now pass pursuant to an <i>Affidavit re Real Property of Small Value</i> ; however, five of Decedent's children died after the Decedent so the heirs of each would have to petition to have a Special Administrator appointed for each decedent to sign the Affidavit on behalf of the respective decedent; • All of the heirs desire that the property be sold, and the value of the property has increased over the years since Decedent's death; • Since the probate administration is still open, it is more expeditious and financially advantageous to sell the property through the probate; the shares of the deceased beneficiaries can then be distributed to the heirs of each pursuant Probate Code § 13000 declarations.	
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notic</b>		
<b>Final Inventory and Appraisal filed 8/15/2007</b> shows the real property of the estate valued at <b>\$13,000.00</b> as of the 8/27/1979 date of death.			
<b>Reviewed by:</b> LEG			
<b>Reviewed on:</b> 3/4/13			
<b>Updates:</b>			
<b>Recommendation:</b>			
<b>File 3 - Ramirez</b>			

(1) First and Final Account and Report of Status of Administration of Co-Executors and Petition for Settlement Thereof; (2) for Allowance of Statutory Attorney's Fees; (3) for Extraordinary Attorney's Fees; (4) for Reimbursement of Costs Advanced and (5) for Final Distribution [Prob. C. et seq., 10800, 10810, 10811, 10951, & 11600]

<b>DOD: 7/3/2010</b>		<b>JENNIFER KENNEDY BRYSON and JAMES KENNEDY</b> , Co-Executors, are petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  Continued from 2/14/13. Minute order states Mr. Kennedy objects to the petition. The Court directs Mr. Kennedy to file his objections by 3/7/13 and meet with Mr. Bagdasarian regarding his concerns.
		Account period: 9/28/10 – 9/28/12	
<b>Cont. from 012413, 021413</b>		Accounting - <b>\$154,632.31</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH- <b>\$148,313.19</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$ 80,775.46</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Executors - <b>\$4,781.64</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	(statutory)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Attorney - <b>\$4,781.64</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	(statutory)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Attorney x/o - <b>\$18,940.00</b>	
	<b>Aff.Pub.</b>	(\$2,580 for unlawful detainer; \$6,200 for TRO & Prelim Injunction; \$960 for vehicle in possession of another; \$9,200 for sale of real property)	
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>	Attorney Hrdlicka x/o - <b>\$3,100.00</b>	
<input checked="" type="checkbox"/>	<b>Letters</b>	(for unlawful detainer action w/trial)	
	<b>Duties/Supp</b>	Attorney costs - <b>\$520.00</b>	
	<b>Objections</b>	(filing fee, probate referee)	
	<b>Video Receipt</b>	Closing reserve - <b>\$1,007.28</b>	
	<b>CI Report</b>	<b>Distribution, pursuant to decedent's will, is to:</b>	
<input checked="" type="checkbox"/>	<b>9202</b>	Jennifer Kennedy Bryson - <b>\$15,700.00</b>	
<input checked="" type="checkbox"/>	<b>Order</b>	James Kennedy - <b>\$15,700.00</b>	
	<b>Aff. Posting</b>	Jennifer Kennedy Bryson & James Kennedy, in Trust, for the benefit of Jon David Kennedy, II- <b>\$10,500.00</b>	
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 3/4/13</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 4 - Kennedy</b>

Atty **Rusca, Christopher M. (for Marcos Galvan – Saede's father)**Atty **Harris, Richard A. (for Kenneth & Youngae Roberts – Temporary Guardians/Petitioners)****Request to Terminate Visitation or to Order Supervised Agency Visits Only**

<b>Saede, 6</b>	<b>KENNETH ROBERTS and YOUNGAE ROBERTS,</b> maternal grandparents and temporary guardians, are Petitioners)	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Jaeden, 4</b>		
	Father (Saede): <b>MARCOS GALVAN</b>	
<b>Cont. from</b>	<b>Petitioner filed an Ex Parte Request to Terminate Visitation on 02/21/13. Order dated 02/22/13, set this matter for hearing.</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	<b>Petitioners allege</b> that Saede's safety and well-being are being immediately threatened by her father Marcos Galvan during her visits with him and request that his visits be terminated, or in the alternative, be conducted at a supervising agency.	
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>	<b>The Current visitation schedule is every weekend from 6:00pm Friday to 9:00 am Sunday morning.</b>	
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>	<b>Petitioners state</b> that they have had ongoing serious concerns re the behavior of Mr. Galvan and have previously reported to the court about Mr. Galvan drinking and driving with Saede in the car and driving without a driver's license. Petitioners also state that they have concerns about Mr. Galvan's propensity to violence. During hearings, Mr. Galvan has represented to the court and the Petitioners that he had obtained a valid driver's license and would no longer drink and drive. Mr. Galvan did obtain a restricted driver's license, but Petitioners believe that it was suspended on 01/15/13 and despite this, Mr. Galvan has continued to tell the court investigator that he has a valid license. Petitioners do not believe that Mr. Galvan should be allowed to drive anywhere with Saede in the car.	
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		<b>Reviewed by:</b> JF
<input type="checkbox"/> <b>Status Rpt</b>		<b>Reviewed on:</b> 03/04/13
<input type="checkbox"/> <b>UCCJEA</b>		<b>Updates:</b>
<input type="checkbox"/> <b>Citation</b>		<b>Recommendation:</b>
<input type="checkbox"/> <b>FTB Notice</b>		<b>File 5 – Galvan &amp; Roberts</b>

**Continued on Page 2**

On 02/17/13, following her visit with Mr. Galvan, Petitioner Kenneth Roberts asked Saede about her visit. Petitioner states that Saede said that Mr. Galvan told her he would "smack her harder than he had every smacked anyone" if she told Petitioners anything about her visit with him. Petitioner states that Saede was fearful telling Petitioner this information and is very afraid of Mr. Galvan. Saede stated that Mr. Galvan driver her in his car to a store where they sell beer, wine and cigarettes. Petitioners contacted the Fresno County Sheriff's and reported the incident. The report states that the deputy met with Saede and found her well-spoken, articulate and truthful. The report substantiates that Mr. Galvan threatens his daughter with physical violence if she tells anyone what he does, because it gets him in trouble with the judge. Saede doesn't understand how that can be if she is telling the truth. When coupled with Mr. Galvan's past behaviors, these new developments raise serious concerns. He has shown a willingness to threaten physical violence, a willingness to drink and drive with Saede in the car, and a willingness to drive without a valid driver's license. He has also shown a willingness to deceive the court and court investigator. Petitioner's believe that his past behavior coupled with the new threats against Saede make the status quo dangerous for her and request the immediate termination of visits between Marcos Galvan and Saede or in the alternative, that any future visits be supervised by a licensed organization that provides visiting services.

Katie, 4	<b>TEMPORARY EXPIRES 03/07/13</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>
Abigail, 8	GEORGE FICKENWORTH, maternal grandfather, is petitioner.		<b>CONTINUED FROM 01/03/13</b> Minute Order from 01/03/13 states: The Court notes for the minute order that it has received information that attempts have been made to serve Michael McGill. The Court finds that Michael McGill is evading service. The Court authorizes substituted service for the purposes of serving Michael McGill in this guardianship matter. Based on information and records of the court, the Court finds that it would be detrimental to have the children remain with their father Michael McGill or some other person. The Court orders that the children be turned over to George Fickenworth. The Court extends the temporary to 03/07/13. Counsel is directed to prepare the order. Michelle Harris provides contact information.  1. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Michael Jay McGill (father)* Note: Substituted service was authorized on 01/03/13 - Michelle Dawn Harris (mother)* It is noted that she was present in court on 01/03/13  2. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Paternal grandparents (unknown) - Karri Franks (maternal grandmother)  3. Need Order & Letters.
	Father: MICHAEL JAY MCGILL		
	Mother: MICHELLE DAWN HARRIS		
Cont. from 110512, 010313	Paternal Grandparents: UNKNOWN		
Aff.Sub.Wit.	Maternal Grandmother: KARRI FRANKS		
✓ Verified	Petitioner alleges: Mother has abandoned the children after CPS placed them in petitioner's care. The father is believed to be in jail pending domestic violence charges.		
Inventory	Court Investigator Samantha Henson filed a report on 10/31/12.		
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	x		
✓ Conf. Screen			
Letters	x		
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 03/04/13
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 6 - McGill</b>

DOD: 01/04/08		KIRK HAGOPIAN and GLORIA HAGOPIAN, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
		Petitioners state:	<p><b><u>OFF CALENDAR</u></b>  <b>Petition was granted on 02/20/13</b></p>
Cont. from 010213, 022013		<ol style="list-style-type: none"> <li>The DOLORES MILANO TRUST (the "Trust") was created on 08/15/96. Dolores Milano served as the initial trustee until her death on 01/04/08. Cheryl A. Smart was the only successor trustee named in the Trust. She served as successor trustee until her death on 12/06/11. Ms. Smart did not name a successor trustee.</li> <li>The sole beneficiary of the Trust was Cheryl Smart.</li> <li>Petitioner Kirk Hagopian is the Administrator of the Estate of Cheryl A. Smart, currently being administered in Fresno Superior Court Case 12CEPR00468. Petitioner Gloria Hagopian is Kirk Hagopian's mother and was a first cousin of Cheryl A. Smart.</li> <li>Petitioners believe that Kirk Hagopian has a superior claim to all other persons to be appointed the next successor trustee because Cheryl A. Smart's estate is the successor beneficiary of the Trust.</li> <li>Petitioners have been nominated by two of the beneficiaries of Cheryl A. Smart's estate to serve as successor co-trustees.</li> <li>All assets of the Trust are in Fresno County.</li> </ol>	
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	w/		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Petitioners pray for an Order:	
		<ol style="list-style-type: none"> <li>Appointing Kirk Hagopian and Gloria Hagopian as successor co-trustees of the Dolores H. Milano Trust.</li> </ol>	
			<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 03/04/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 7 - Milano</b></p>

## Petition to Determine Succession to Real Property (Prob. C. 13151)

<b>DOD: 11/23/2012</b>	<b>FRANCES LOMBARDO, JOHN BAPTISTA, LEONARD BAPTISTA, and LINDA CISNEROS</b> , are petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	40 days since DOD	
<b>Cont. from</b>	No other proceedings	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	I&A - <b>\$65,000.00</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Will dated 01/26/1998 devises all property to her children in equal shares.	
<input checked="" type="checkbox"/> <b>Inventory</b>	Petitioners request Court determination that decedent's 100% interest in real property located at 3522 E. Simpson, Fresno, Ca. pass to decedent's children 1/4 to Frances Lombardo, 1/4 to John Baptista, 1/4 to Leonard Baptista and 1/4 to Linda Cisneros pursuant to decedent's will.	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		<b>Reviewed by: LV</b>
<input type="checkbox"/> <b>Status Rpt</b>		<b>Reviewed on: 03/04/2013</b>
<input type="checkbox"/> <b>UCCJEA</b>		<b>Updates:</b>
<input type="checkbox"/> <b>Citation</b>		<b>Recommendation: Submitted</b>
<input type="checkbox"/> <b>FTB Notice</b>		<b>File 8 - Baptista</b>

Atty Leath, Charles A., sole practitioner (for Petitioner Ken Coon)

## Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 8/6/1999		KEN COON, son, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
40 days since DOD.				
Cont. from				
Aff.Sub.Wit.				<p>No other proceedings.</p> <p>I &amp; A - <b>Need</b></p> <p>Decedent died intestate.</p> <p><b>Petitioner states</b> he seeks the Court's order determining that the real property passes to him as the surviving heir to Decedent's estate as he has been residing on the property, and he now suffers from a medical condition requiring him to sell the property; escrow has been opened to sell the property for <b>\$44,000.00</b> (copy of <i>Residential Purchase Agreement</i> attached), in order to use the proceeds to assist in his medical recovery.</p> <p><b>Petitioner requests</b> Court determination that Decedent's <b>? % interest</b> in real property located at <b>2338 E. Brown, Fresno</b>, passes to the Petitioner pursuant to intestate succession.</p>
✓ Verified				
Inventory	X			
PTC				
Not.Cred.				
Notice of Hrg	X			
Aff.Mail	X			
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen		<p>1. Pursuant to Probate Code § 13153, need proof of mailed service of <i>Notice of Hearing</i> for all persons required to be served with notice pursuant to Probate Code § 13152(a)(7). (Note: Item 14 of Petition does not list any persons; Petitioner should state if he is the sole person entitled to notice.)</p> <p>2. Need <i>Final Inventory and Appraisal</i> [DE-160, 161] pursuant to Probate Code § 13152(b).</p> <p>3. Need Attachment 11 to the <i>Petition</i> containing the legal description of the real property and its Assessor's Parcel Number (APN) pursuant to Probate Code § 13152(a)(3), and specifying the percentage of Decedent's interest in the property.</p> <p>4. Need proposed <i>Order Determining Succession to Real Property</i> [DE-315] containing the legal description of the real property and specifying the percentage of the Petitioner's property interest.</p>		
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order	X			
Aff. Posting				
Status Rpt				
UCCJEA		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 3/4/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9 - Coon</b></p>		
Citation				
FTB Notice				



<b>DOD: 7/13/10</b>		<p><b>ROBERT ACUNA, JR. and DESIREE ACUNA</b>, were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.</p> <p>Inventory and Appraisal was due on 9/26/11.</p> <p>On 3/22/12 the Court signed an order granting attorney Mara Erlach's Motion to be Relieved as Counsel.</p> <p>At the hearing on 3/22/12 the Court set an Order to Show Cause hearing and Ordered both Robert Acuna, Jr. and Desiree Acuna to be present.</p> <p>Order to Show Cause and Minute Order were mailed to both Robert Acuna, Jr. and Desiree Acuna on 3/23/12.</p> <p><b>Minute order from 4/26/12</b> indicates there were no appearances. The court removed Robert Acuna Jr., and Desiree Acuna. The court appointed the Public Administrator as administrator without bond.</p> <p>The Public Administrator's Letters were issued on 6/27/12.</p> <p><b>Status Report filed on 2/28/13 states</b> based on their investigations, the Public Administrator and his Attorney question whether administration of this estate should continue. According to the original petition for probate, there was 10,000 in personal property and \$100,00 in real property. The only beneficiaries are the former administrators. The only creditors are the State of California Franchise Tax Board (\$2,020.41) and the Fresno County Tax Collector (\$263.99). If the former administrator paid those two creditors, the Public Administrator believes the estate could be closed without approving the acts of the former administrator.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Continued from 1/7/13. Minute Order states Ms. Kruthers requests a 60 day continuance. The Court notes for the minute order that Robert Acuna, Jr. and Desiree Acuna are not present in court. The Court sets and Order to Show Cause on 3/7/13 regarding Robert Acuna, Jr. and Desiree Acuna's failure to appear; failure to provide information, and the imposition of sanctions in the amount of \$500.00. Robert Acuna, Jr. and Desiree Acuna are ordered to be personally present. Please see page 10B for OSC hearing.</p>
<b>Cont. from 082712, 112612, 010713</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

<b>Reviewed by: KT</b>
<b>Reviewed on: 3/4/13</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 10A - Acuna</b>

**Order to Show Cause Re: Failure to Appear; Failure to Provide Information; Imposition of Sanctions in the Amount of \$500.00**

<b>DOD: 7/13/10</b>		<p><b>ROBERT ACUNA, JR. and DESIREE ACUNA</b>, were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.</p> <p>Inventory and Appraisal was due on 9/26/11.</p> <p>On 3/22/12 the Court signed an order granting attorney Mara Erlach's Motion to be Relieved as Counsel.</p> <p>At the hearing on 3/22/12 the Court set an Order to Show Cause hearing and Ordered both Robert Acuna, Jr. and Desiree Acuna to be present.</p> <p>Order to Show Cause and Minute Order were mailed to both Robert Acuna, Jr. and Desiree Acuna on 3/23/12.</p> <p><b>Minute order from 4/26/12</b> indicates there were no appearances. The court removed Robert Acuna Jr., and Desiree Acuna. The court appointed the Public Administrator as administrator without bond.</p> <p>The Public Administrator's Letters were issued on 6/27/12.</p> <p>Status Report of the Public Administrator filed on 1/3/13 indicated the Public Administrator reported that former Administrators Robert Acuna, Jr. and Desiree Acuna were not cooperating with the Public Administrator in order for the Public Administrator to prepare the inventory and close the estate.</p> <p><b>Minute order dated 1/7/13</b> set this Order to Show Cause on 3/7/13 regarding Robert Acuna, Jr. and Desiree Acuna's failure to appear; failure to provide information, and the imposition of sanctions in the amount of \$500.00. Robert Acuna, Jr. and Desiree Acuna are ordered to be personally present. A copy of the Order to Show Cause was mailed to Robert Acuna, Jr. and Desiree Acuna on 1/8/13.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

<b>Reviewed by: KT</b>
<b>Reviewed on: 3/4/13</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 10B - Acuna</b>

<b>DOD: 7/13/10</b>		<p><b>ROBERT ACUNA, JR. and DESIREE ACUNA</b>, were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.</p> <p>Inventory and Appraisal was due on 9/26/11.</p> <p>On 3/22/12 the Court signed an order granting attorney Mara Erlach's Motion to be Relieved as Counsel.</p> <p>At the hearing on 3/22/12 the Court set an Order to Show Cause hearing and Ordered both Robert Acuna, Jr. and Desiree Acuna to be present.</p> <p>Order to Show Cause and Minute Order were mailed to both Robert Acuna, Jr. and Desiree Acuna on 3/23/12.</p> <p><b>Minute order from 4/26/12</b> indicates there were no appearances. The court removed Robert Acuna Jr., and Desiree Acuna. The court appointed the Public Administrator as administrator without bond.</p> <p>The Public Administrator's Letters were issued on 6/27/12.</p> <p><b>Status Report filed on 2/28/13 states</b> based on their investigations, the Public Administrator and his Attorney question whether administration of this estate should continue. According to the original petition for probate, there was 10,000 in personal property and \$100,00 in real property. The only beneficiaries are the former administrators. The only creditors are the State of California Franchise Tax Board (\$2,020.41) and the Fresno County Tax Collector (\$263.99). If the former administrator paid those two creditors, the Public Administrator believes the estate could be closed without approving the acts of the former administrator.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Continued from 1/7/13. Minute Order states Ms. Kruthers requests a 60 day continuance. The Court notes for the minute order that Robert Acuna, Jr. and Desiree Acuna are not present in court. The Court sets and Order to Show Cause on 3/7/13 regarding Robert Acuna, Jr. and Desiree Acuna's failure to appear; failure to provide information, and the imposition of sanctions in the amount of \$500.00. Robert Acuna, Jr. and Desiree Acuna are ordered to be personally present. Please see page 11B for OSC hearing.</p>
<b>Cont. from 082712, 112612, 010713</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

Reviewed by: KT

Reviewed on: 3/4/13

Updates:

Recommendation:

File 11A - Acuna

**Order to Show Cause Re: Failure to Appear; Failure to Provide Information;  
Imposition of Sanctions in the Amount of \$500.00**

<b>DOD: 7/13/10</b>		<p><b>ROBERT ACUNA, JR.</b> and <b>DESIREE ACUNA</b>, were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.</p> <p>Inventory and Appraisal was due on 9/26/11.</p> <p>On 3/22/12 the Court signed an order granting attorney Mara Erlach's Motion to be Relieved as Counsel.</p> <p>At the hearing on 3/22/12 the Court set an Order to Show Cause hearing and Ordered both Robert Acuna, Jr. and Desiree Acuna to be present.</p> <p>Order to Show Cause and Minute Order were mailed to both Robert Acuna, Jr. and Desiree Acuna on 3/23/12.</p> <p><b>Minute order from 4/26/12</b> indicates there were no appearances. The court removed Robert Acuna Jr., and Desiree Acuna. The court appointed the Public Administrator as administrator without bond.</p> <p>The Public Administrator's Letters were issued on 6/27/12.</p> <p><b>Status Report of the Public Administrator filed on 1/3/13</b> indicated the Public Administrator reported that former Administrators Robert Acuna, Jr. and Desiree Acuna were not cooperating with the Public Administrator in order for the Public Administrator to prepare the inventory and close the estate.</p> <p><b>Minute order dated 1/7/13</b> set this Order to Show Cause on 3/7/13 regarding Robert Acuna, Jr. and Desiree Acuna's failure to appear; failure to provide information, and the imposition of sanctions in the amount of \$500.00. Robert Acuna, Jr. and Desiree Acuna are ordered to be personally present. A copy of the Order to Show Cause was mailed to Robert Acuna, Jr. and Desiree Acuna on 1/8/13.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

<b>Reviewed by: KT</b>
<b>Reviewed on: 3/4/13</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 11B - Acuna</b>

## Review Hearing Re: Establishing Guardianship in Missouri

<b>Colin (age 2 yrs)</b>		<b>Dr. Lawrence W. Schlak</b> , Maternal Grandfather, was appointed Guardian on 1-3-13.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Kali (6 months)</b>			
		<b>At hearing on 1-3-13, the Court set this status hearing for Dr. Schlak to establish guardianship in Missouri.</b>	<b>1. Need proof of establishing guardianship in Missouri pursuant to Minute Order 1-3-13 and Probate Code §2352(d).</b>
<b>Aff.Sub.Wit.</b>		<b>Minute Order 1-3-13:</b> The Court is informed that the parties have been working together to reach an agreement. The Court finds that it would be detrimental for the children to be with a parent. The Court further finds that it would be in the best interest of the children to be with the Petitioner, Dr. Lawrence Schlak. The petition is granted. The Court orders supervised visitation between father, Colin Schmock, Sr. and the children, primarily in Missouri as may be determined among the parties. Visitation to be supervised by the paternal grandmother Carol Schmock or other party deemed appropriate. Parties are ordered to work together with counsel to facilitate visitation. Dr. Lawrence Schlak agrees and is ordered to make a residence available in Missouri for visits. Supervised visits to remain in place unless and until other information requiring a change is brought to a court of competent jurisdiction. Dr. Lawrence Schlak is ordered to establish a guardianship in Missouri. Set on: 3/7/13 at 09:00a.m. in Dept 303 for: Review Hearing Re: Establishing Guardianship in Missouri. Petition is granted before Court Trial. Order signed.	
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>	X		
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
			<b>Reviewed by:</b> skc <b>Reviewed on:</b> 3-4-13 <b>Updates:</b> <b>Recommendation:</b> <b>File 12 - Schmock</b>

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 17		<b>TEMPORARY EXPIRES 03/07/2013</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<p><b>ISAAC YOUNGCLARKE</b>, minor (age 17), is Petitioner and requests appointment of <b>MARGARET CLARKE</b>, Maternal Grandmother, as Guardian.</p>		
Cont. from		<p>Father: <b>DAVIN YOUNGCLARKE</b> (Deceased)</p>		
	Aff.Sub.Wit.	<p>Mother: <b>JEAN YOUNGCLARKE</b>, personally served 1-9-13</p>		
✓	Verified	<p>Paternal Grandfather: Wayne Young, served by mail on 01/31/2013</p>		
	Inventory	<p>Paternal Grandmother: Lana Young, served by mail on 01/31/2013</p>		
	PTC	<p>Maternal Grandfather: Vincent Clarke - Consent and Waiver of Notice filed 1-7-13</p>		
	Not.Cred.	<p>Maternal Grandmother: Margaret Clarke - Consent and Waiver of Notice filed 1-7-13</p>		
✓	Notice of Hrg	<p><b>Petitioner states</b> his mother told him in Oct. 2012 that he needed to move out of her house. He stayed with a friend and his mother for approx. one month. His mother came unexpectedly one evening with the sheriff and was convinced that his friend was "brainwashing" him and told the officer that he punches her in the face all the time. Petitioner states he has never hit his mother. The officer told the minor to gather his things and leave with his mother. However, his mother then dropped him off with another friend and his parents (his current address).</p>		
✓	Aff.Mail	w/	<p>Petitioner states his father passed away approx. five years ago. His mother attempts to "push my buttons" and tells him that his dad was a horrible father. Petitioner states his mother believes there is something wrong with him and has taken him to five different counselors, each of whom has told her there is nothing wrong with him; that the problem lies with her.</p>	
	Aff.Pub.		<p>Petitioner states he is a senior at Sierra High and will graduate in June 2013. He has been active in sports; however, has not been allowed to participate this year. When he was living with his mother, she would punish him for no apparent reason.</p>	
	Sp.Ntc.		<p><u>Please see additional page</u></p>	
✓	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: LV

Reviewed on: 03/04/2013

Updates:

Recommendation:

File 13 - Youngclarke

**(Continued from previous page)**

Petitioner states he has been in Arizona visiting his grandparents for the Christmas break. His mother has stated that when he returns she is taking him to a therapeutic clinic in Mexico. Petitioner does not want to go to Mexico. He does not speak Spanish and is concerned about violence there. He has no passport to return to the U.S., and won't be able to come home once he turns 18. He will graduate in six months. He wants to be able to enjoy his last days at school and not have to worry about where his mom will take him next.

**Therefore, Petitioner is requesting that the Court grant his grandparents guardianship so that they can make decisions regarding his care.**

**Court Investigator Julie Negrete's report filed 02/28/2013.**

**Mediation Agreement filed on 01/23/2013.**

Age: 3		JAMES CRUZ, father, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		CHRISTINA CABRERA BARBOSA,		<u>CONTINUED FROM 02/14/13</u>	
		maternal grandmother, was appointed		As of 03/04/13, nothing further has	
		guardian on 11/08/11 – <i>Personally</i>		been filed.	
		served on 01/31/13.		1. Proof of service re personal	
Cont. from 021413		Mother: CHRISTINA PADILLA		service on the guardian,	
	Aff.Sub.Wit.		<b>Petitioner</b> requests visitation twice per week at the convenience of the guardian.	Christina Barbosa, does not	
✓	Verified			state the address where she	
	Inventory			was served. Need amended	
	PTC			proof of service stating	
	Not.Cred.			address/location where Ms.	
✓	Notice of Hrg			Barbosa was served.	
	Aff.Mail	x			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.				
	Conf. Screen				
	Letters				
	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
	Order	x			
	Aff. Posting		Reviewed by: JF		
	Status Rpt		Reviewed on: 03/04/13		
	UCCJEA		Updates:		
	Citation		Recommendation:		
	FTB Notice		File 14 - Cruz		



Atty Zagha, Becky Ann (pro per Petitioner/Temporary Guardian)

Atty Wall, Rebecca Joy Marie (pro per maternal aunt/competing petitioner)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 7 months		<b>TEMPORARY EXPIRES 3/7/13</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>BECKY ANN ZAGHA</b> , non-relative, is petitioner.		<b>Competing Petition of maternal aunt, Rebecca Wall is on page 15B.</b>  1. Need UCCJEA	
		Father: <b>LOUIS RAY PEREZ</b> – nominates petitioner. Personally served on 2/15/13.			
Cont. from		Mother: <b>DOROTHY GRACE MARIE MARAGLINO</b> – personally served on 2/14/13			
	Aff.Sub.Wit.				
✓	Verified				
	Inventory	Paternal Grandparents: Not Listed			
	PTC				
	Not.Cred.	Maternal Grandfather: Fred Wall – served on 2/13/13 Maternal Grandmother: Joyce Wall – served on 2/13/13			
✓	Notice of Hrg				
✓	Aff.Mail	W/	<b>Petitioner states:</b> both birth parents are in jail on charges for murder in San Diego County. The child has been residing with the petitioner since birth at the request of the parents. Guardianship is needed to obtain medical and legal benefits for the child.		
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	W/	Attached to the petition is a document entitled <i>Inmate Authorization for Temporary Custody</i> from the San Diego County Sheriff's Department indicating that the petitioner, Becky Zagha, be authorized to take temporary custody of the child. Also attached to the petition is an Agency/Caregiver Placement Agreement from the Health and Human Services Agency also listing the petitioner as the caregiver for the child.		
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order		<b>Declaration of Dorothy Maraglino (mother) filed on 3/1/13</b> urging the court to place the minor with her sister Rebecca Wall.		
	Aff. Posting				
	Status Rpt				
	UCCJEA	X	<b>Court Investigator Charlotte Bien's Report filed on 2/22/13</b>		
	Citation				
	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 3/4/13	
				Updates:	
				Recommendation:	
				File 15A - Perez	

Atty Zagha, Becky Ann (pro per Temporary Guardian)

Atty Wall, Rebecca Joy Marie (pro per Petitioner/maternal aunt)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

<b>Age: 7 months</b>		<p><b>REBECCA JOY MARIE WALL</b>, maternal aunt, and Dorothy Grace Marie Wall, mother, are petitioners.</p> <p><b>BECKY ANN ZAGHA</b>, non-relative, was appointed temporary guardian Ex-Parte on 1/8/2013. Temporary hearing on 1/22/2013 extended the temporary to 3/7/2013.</p> <p>Father: <b>NOT LISTED</b> (Louis Ray Perez)</p> <p>Paternal grandparents: Not listed (declaration of Due Diligence filed on 2/16/13 states the paternal grandparents are deceased).</p> <p>Maternal grandfather: Not listed (Fred Wall) served on 2/15/13</p> <p>Maternal grandmother: Not listed (Joyce Wall): served on 2/15/13</p> <p><b>Petitioners state</b> both parents are in the custody of the San Diego jail. Jordyn's mother wishes Petitioner to care for the minor until she is able to do so.</p> <p><b>Declaration of Dorothy Maraglino (mother) filed on 3/1/13</b> urging the court to place the minor with her sister Rebecca Wall.</p> <p><b>Court Investigator Charlotte Bien's Report filed on 2/22/13</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. UCCJEA is incomplete. It does not give the minor's residence information for the since birth.</li> <li>2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on:               <ol style="list-style-type: none"> <li>a. Louis Ray Perez (father)</li> </ol> </li> </ol>	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			W/
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			X
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input checked="" type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 3/4/13</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 15B - Perez</b></p>				

## Petition for Appointment of Temporary Guardian of the Person

Age: 3 years		<b>GENERAL HEARING 4-24-13</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	X			
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

**PHYLLIS MCKENNA**, Maternal Grandmother, is Petitioner.

Father: **ALEX QUEVEDO, SR.**  
 Mother: **JOY MAKENA**  
*- Declaration of Due Diligence filed 2-22-13*

Paternal Grandfather: Not listed  
 Paternal Grandmother: Rosa  
 (Last name not listed)

Maternal Grandfather: Not listed

**Petitioner states** the child needs medical attention to start school.

**NEEDS/PROBLEMS/COMMENTS:**

1. Need Notice of Hearing.
2. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) on:
  - Alex Quevedo, Sr. (Father)
  - Joy McKenna (Mother)

Reviewed by: skc
Reviewed on: 3-4-13
Updates:
Recommendation:
File 16 - Quivero

Atty Jimenez, Irene (pro per – Petitioner/Paternal aunt?)

Atty Jimenez, Cutberto (pro per – Petitioner/Paternal uncle?)

**Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)**

Vanity, 10		<b>GENERAL HEARING 04/25/13</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
Natalie, 8		<b>IRENE JIMENEZ</b> and <b>CUTBERTO JIMENEZ</b> , aunt and uncle (paternal?), are Petitioners.		<p>1. Need proof of personal service at least 5 court days before the hearing of <b>Notice of Hearing</b> with a copy of the <b>Petition for Appointment of Temporary Guardian of the Person</b> <u>or</u> Consent &amp; Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <ul style="list-style-type: none"> <li>- <b>Alfredo Ortega (Natalie's father)</b> –Declaration of Due Diligence filed 03/01/13 states that Petitioners have tried contacting him at his residence, but have been unable to make contact after several attempts. Last spoke to him in December 2012.</li> <li>- <b>Vanity's father (not stated)</b></li> <li>- <b>Amber Stickles (mother)</b> – Declaration of Due Diligence filed 03/01/13 states that the phone number they had for her is no longer working and they have been unable to make contact with her. Last contact was on 02/22/13.</li> </ul> <p><b>Note:</b> Petitioners state that the girls are currently living with their aunt, Krystal Stickles. Krystal Stickles was personally served with Notice of Hearing on 03/01/13 per proof of service filed 03/01/13.</p>	
Cont. from		Father (Natalie): <b>ALFREDO ORTEGA</b> – <i>Declaration of Due Diligence</i> filed 03/01/13			
	Aff.Sub.Wit.	Father (Vanity): NOT LISTED			
✓	Verified	Mother: <b>AMBER STICKLES</b> – <i>Declaration of Due Diligence</i> filed 03/01/13			
	Inventory	Paternal grandparents (both): NOT LISTED			
	PTC	Maternal grandparents: NOT LISTED			
	Not.Cred.	<b>Petitioners allege</b> that the girls currently live with their aunt, and are being neglected. They are not being fed regularly, do not have enough clothing, or clothes that fit, are not taught good hygiene and are poorly supervised. Further, Petitioners allege that the girls are threatened and physically abused by adults and teenagers who live in their home, and Natalie has runaway on at least 1 occasion. Petitioners allege that their medical needs are also being neglected.			
✓	Notice of Hrg				
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.				
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
✓	9202				
	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

<b>Reviewed by:</b> JF
<b>Reviewed on:</b> 03/04/13
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 17 – Ortega &amp; Saldivar</b>